

### Item for the Information of the Regional Watershed Alliance

**TO:** Chair and Members of the Regional Watershed Alliance  
Wednesday, February 28, 2024 Meeting

**FROM:** Sameer Dhalla, Director, Development and Engineering Services

**RE: SPILL RESPONSE WITHIN TRCA JURISDICTION**

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#### KEY ISSUE

To provide the Regional Watershed Alliance (RWA) with an overview of TRCA and agency roles and responsibilities with respect to pollutant spills in Toronto and Region Conservation Authority's (TRCA) jurisdiction, including the August 11, 2023 fire at 35 Vulcan Street, Etobicoke, March 2017, Highway 9 Fuel Spill at Glen Haffy Conservation Area and February 2022, Bluffers Park Oil Leak.

#### RECOMMENDATION:

**THAT the RWA receive the report on the Spill Response within TRCA's Jurisdiction, for information.**

#### BACKGROUND

A spill is the discharge of one or more pollutants into the natural environment that may have a negative effect on land, water, wetlands, or wildlife. Under the Environmental Protection Act (EPA), the owner or controller of a spilled pollutant has a duty to clean up a spill and must do everything practicable to prevent and eliminate the negative effects from a spill, including restoring the natural environment to its original state. The Ontario Ministry of the Environment, Conservation, and Parks (MECP) is the lead agency for responding to spills and regulating cleanup efforts via its Spills Action Centre (SAC), although municipalities also have a responsibility to respond to spill incidents within their jurisdiction. Environment and Climate Change Canada (ECCC), under legislation that includes the Canadian Environmental Protection Act, 1999 (CEPA) and the Fisheries Act (FA), National Environmental Emergencies Centre, acts as the federal hub for pollution-related emergencies. They provide oversight and scientific advice to help protect the environment during an emergency. Toronto and Region Conservation Authority (TRCA), as one of the largest landowners in the Greater Toronto Area (GTA) and as a watershed-based resource manager, is often notified of spill-related matters and engaged as an advisor on spill remediation efforts on our lands. If TRCA is notified of a spill a detailed communications protocol is followed which involves notifying the MECP SAC in accordance with an internal protocol described below.

TRCA's response to a spill within its nine watersheds is guided by the TRCA Internal Spills Reporting and Response Guideline and Standard Operating Procedure (SOP) that were approved by TRCA's Senior Leadership Team. TRCA's internal spills response protocol is an action-oriented document developed to ensure proper assessment of each spill situation and facilitate coordination among TRCA staff from

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different departments and divisions, as well as various external agencies and stakeholders.

Although TRCA is not a first responder, our planning and technical staff responsibilities include the review and approval of permits associated with restoration or rehabilitation works, advice on the assessment of spill related impacts, as it relates to TRCA-owned lands, as well as assistance with remediation efforts.

The following three case studies outline the variety of actions by TRCA and other agencies for different spill events. These examples provide a glimpse into TRCA's responses to spills and environmental incidents.

### **Case Studies**

#### **Brenntag Fire and Fuel Spill, Etobicoke, August 2023**

On August 11, 2023, a six-alarm fire (over 100 firefighters) occurred at a Brenntag Canada Inc. (Brenntag) warehouse distribution facility located at 35 Vulcan Street, Etobicoke. This site is located within the Mimico Creek Watershed and adjacent to the watershed divide with the Humber River Watershed. The building contained primarily automotive lubricants and soybean oil.

An unquantified volume of water and firefighting foam was used by the Toronto Fire Department in their efforts to bring the fire under control, which along with unburned petroleum lubricants were discharged into the Mimico Creek and Humber River via surface run off and the storm water system. The volume of product spilled is not known, but approximately 700,000 litres were lost to the fire and runoff.

Once the fire was extinguished, Brenntag initiated cleanup response operations under the direction of the MECP and Environment and Climate Change Canada (ECCC). Toronto Wildlife Centre (TWC), along with contractors engaged by Brenntag, coordinated the identification, capture, and cleanup of wildlife impacted by the oil released from this spill.

A remediation and restoration plan are currently under development by Brenntag and its consultants and contractors. TRCA continues to engage with MECP, ECCC, and the City of Toronto to ensure that this plan will satisfy our requirements both in terms of a landowner and a regulator. TRCA's assistance in the collection of surface water quality samples was provided at the request of the City of Toronto.

#### **Highway 9 Fuel Spill, Caledon, March 2017**

Another example of a spill incident that required expertise from across TRCA was a gasoline fuel spill on Highway 9, east of Airport Road in Caledon that impacted the TRCA-owned and operated Glen Haffy Conservation Area. Approximately 30,000 litres of fuel spilled after a fuel tanker rolled over on the highway during a rainstorm. This spill had the potential to not only impact TRCA property, but also a watercourse, groundwater, and a headwater wetland.

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TRCA technical staff provided on-site advice with respect to initial remedial efforts and monitoring. TRCA staff from both Development and Engineering Services (DES) and Restoration and Infrastructure (R&I) were engaged in the long-term restoration works, which took almost three years to complete. During that time TRCA attended interdisciplinary meetings and site visits, completed review of groundwater and surface water monitoring reports and restoration plans, and other property related matters.

### **Bluffer's Park Oil Leak, February 2022**

A third example of effective TRCA staff collaboration was an abandoned boat that was leaking oil and fuel at Bluffer's Park in Scarborough. The oil and fuel from this vessel had the potential to affect ducks, geese, swans, and other waterbirds in the area as well as surface water quality.

While TRCA was not a first responder, the event occurred in early spring, and the TRCA research vessel, R.V. Ken Higgs, was already in the water and actively being used for lake-based monitoring work. Having no other available vessel, our assistance was requested by the MECP Spills Action Centre.

The abandoned vessel was partially sunk at the boat launch area of Bluffers Park in Scarborough. The hydrocarbon materials spread over the water surface areas, impacting waterfowl. TRCA staff from DES and R&I undertook immediate measures to prevent contaminants from spreading, protecting the local wildlife and environment, and assisted in the mitigation of any further environmental damage.

TRCA closely monitored the local wildlife and waterfowl populations and took mitigative actions necessary for their protection by working with our federal and provincial partners and the TWC. Monitoring staff took a central role in coordinating with other agencies and responded to media inquiries. The vessel was successfully removed and TRCA followed up by removing the previously installed wildlife deterrents.

### **Relationship to TRCA's 2023-2034 Strategic Plan**

This report supports the following Pillars and Outcomes set forth in TRCA's 2023-2034 Strategic Plan:

#### **Pillar 1 Environmental Protection and Hazard Management:**

1.2 Leadership in greenspace conservation

#### **Pillar 2 Knowledge Economy:**

2.4 Integrate environmental considerations and science into decision making

### **FINANCIAL DETAILS**

The costs for TRCA's involvement in spill response are covered by fees and/or compensation paid by the companies involved. TRCA's spills program is not corporately funded, rather it is offset by planning and permit fees are required for the review of any required restoration permits. If TRCA is completing restoration works on behalf of the company responsible for the spill, the company is responsible for the cost. The use of TRCA monitoring services by government agencies is reimbursed on a cost recovery basis through fee for service arrangements with the requesting agency.

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**Report prepared by: Don Ford, Senior Manager, Hydrogeology and Manirul Islam, Planner, Infrastructure Planning and Permits**

**Emails: don.ford@trca.ca; manirul.islam@trca.ca**

**For Information contact: Don Ford, (437) 880-2372; Manirul Islam, (437) 880-2426**

**Emails: don.ford@trca.ca; manirul.islam@trca.ca**

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